

LAW OFFICES OF BING LI, LLC  
Bing Li (BL 5550)  
1350 Broadway, Suite 1001  
New York, NY 10018-0947  
(212) 967-7690  
Attorneys for Defendants  
ACH Freight Forwarding, Inc. and  
Jimin Zhou a/k/a Jimmy Zhou

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
GINTER LOGISTICS SERVICE CO, LTD.,

07 civ. 8677 (LAP)(KNF)

Plaintiff,

-against-

ACH FREIGHT FORWARDING, INC., JIMIN  
ZHOU a/k/a JIMMY ZHOU, XIAO JI HE  
d/b/a PACIFIC JIN AN TRADING, INC.  
and XIN MIAO, INC.,

**DECLARATION OF  
BING LI IN SUPPORT  
OF MOTION TO DISMISS  
CAUSES OF ACTION**

Defendants

-----X

BING LI, an attorney duly admitted to practice before this Court, declares under the penalty of perjury as follows:

1. I am a member of the LAW OFFICES OF BING LI, LLC, attorneys for ACH Freight Forwarding, Inc. ("ACH") and Jimin Zhou a/k/a Jimmy Zhou ("Zhou") (jointly the "Moving Defendants").
2. I respectfully submit this declaration in support of the Moving Defendants' motion for an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure (i) dismissing the Fourth Cause of Action for Conversion and Fifth Cause of Action for Fraudulent Inducement as against the Moving Defendants, (ii) dismissing each of the six

causes of action as against Zhou personally, and (iii) granting the moving defendants such other and further relief as the Court deems just and proper.

3. A true copy Plaintiff's Verified Complaint dated September 27, 2007, electronically filed on October 9, 2007, is annexed hereto as Exhibit A.

4. True copies of printouts from the official website of the Federal Maritime Commission [http://www2.fmc.gov/oti/nvos\\_listing.aspx](http://www2.fmc.gov/oti/nvos_listing.aspx) (last visited November 2, 2007) showing ACH Freight Forwarding Inc. as a licensed U.S.-based non-vessel-operating common carrier ("NVOCC"), organization number (020382) and License No. (020282N), are annexed hereto as Exhibit B. Defendants respectfully request that the Court take judicial notice of the fact that defendant ACH was and is a so licensed NVOCC.

5. I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Respectfully submitted,

Dated: New York, New York  
November 5, 2007

/s/ \_\_\_\_\_  
Bing Li (BL 5550)